

EXHIBIT F

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Martha Jane Toy, individually, : C.A. No.:
And as Executrix and Personal : 05-cv-1814
Representative of the Estate of :
Russell B. Toy, deceased, :
Plaintiffs, :
V. :
Plumbers & Pipefitters Local Union :
No. 74 Pension Plan, Trustees of :
Plumbers & Pipefitters Local Union :
No. 74 Pension Plan, Health and Welfare :
Plan, Local 74, Welfare Benefit Plan, :
Life Insurance Plan, Local 74, Welfare :
Benefit Plan, Life Insurance Plan, :
Local 74, Insurance Plan, Administrators :
of Pension and Welfare Plans, Trustees :
of Plumbers & Pipefitters Local Union :
No. 74 Welfare Plan, Plan Administrator :
of Pension & Welfare Plans, Insurance :
Plans, and Health and Welfare :
Benefit Plan, :
Defendants. :

COPY

Continuation of the deposition of
SCOTT A. ERNSBERGER, GEM Group, Senior Account
Executive, taken pursuant to notice before Tanya M.
Congo, a Notary Public and Certified Shorthand
Reporter, at the offices of Young, Conaway, Stargatt
& Taylor, LLP, the Brandywine Building, 1000 West
Street, 17th Floor Wilmington, Delaware, on Monday,
August 29, 2005, beginning at approximately 9:20
a.m., there being present:

APPEARANCES:

LAW OFFICES OF WILLIAM B. HILDEBRAND, L.L.C.
1040 Kings Highway North, Suite 601
Cherry Hill, New Jersey 08034
BY: WILLIAM B. HILDEBRAND, ESQUIRE
(Attorney for Plaintiffs)

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BY: JOHN M. STULL, ESQUIRE
(Attorney for Plaintiffs)

<p>Page 26</p> <p>1 Pennsylvania address.</p> <p>2 Q. All right. And you also asked them how</p> <p>3 much money those employers contributed since 1997?</p> <p>4 A. Yes.</p> <p>5 Q. And the answer to that question was over</p> <p>6 \$43 million as listed on page 7 and contained in</p> <p>7 Exhibit B?</p> <p>8 A. For all contributing employers, 130, to</p> <p>9 the Pension Plan, the answer was 43,589,530.</p> <p>10 Q. Right. And those employers also</p> <p>11 contributed over \$49 million to the Welfare Plan; is</p> <p>12 that correct?</p> <p>13 A. All contributing employers for work done</p> <p>14 in Delaware contributed \$49,857,711.00 to the Welfare</p> <p>15 Plan.</p> <p>16 Q. And of the \$43,589,530.00 contributed to</p> <p>17 the Pension Plan, \$5,642,037.92 was contributed by</p> <p>18 employers with Pennsylvania addresses; is that</p> <p>19 correct?</p> <p>20 A. That is correct for work that was</p> <p>21 performed in Delaware.</p> <p>22 Q. And of the \$49,857,711.00 which was</p> <p>23 contributed to the Welfare Plan during the same</p> <p>24 period, \$5,895,294.49 was contributed by employers</p> <p>25 with Pennsylvania addresses?</p>	<p>Page 28</p> <p>1 MR. HILDEBRAND: Read back the first</p> <p>2 part of the answer, please.</p> <p>3 (Whereupon, the Reporter read from the</p> <p>4 record as requested.)</p> <p>5 BY MR. HILDEBRAND:</p> <p>6 Q. All right. What is Exhibit G?</p> <p>7 A. Exhibit G is a Welfare Plan report that,</p> <p>8 again, provides macro medical benefits paid year by</p> <p>9 year from 1997 to June of 2005.</p> <p>10 It also provides a participant count</p> <p>11 for each corresponding year. And these were medical</p> <p>12 benefits paid to all Plan participants regardless of</p> <p>13 where they reside.</p> <p>14 Q. What's Exhibit H?</p> <p>15 A. Exhibit H is a report provided that</p> <p>16 indicates prescription drug benefits paid by a third</p> <p>17 party from January 1, 2002 through August 14th, 2005</p> <p>18 to participants -- or for participants who are</p> <p>19 currently listed with a Pennsylvania address, or may</p> <p>20 have been listed with a Pennsylvania address during</p> <p>21 this time period.</p> <p>22 Q. Directing your attention to the last page</p> <p>23 of this particular exhibit, it says, total plan cost</p> <p>24 including administration fees, \$8,178,197.98, I</p> <p>25 guess. What does that number represent?</p>
<p>Page 27</p> <p>1 A. Actually, the number was \$5,895,298.49,</p> <p>2 again, contributed by employers who have listed a</p> <p>3 Pennsylvania address in the system, and this was for</p> <p>4 work in Delaware.</p> <p>5 Q. All right. What does Exhibit E represent?</p> <p>6 A. Exhibit E is a report of Pension Fund</p> <p>7 macro benefits paid year by year to all pensioners,</p> <p>8 and it also provides a number of the pensioners</p> <p>9 receiving benefits year by year.</p> <p>10 Q. All right. And when you refer to that as</p> <p>11 macro benefits, what does the term macro mean in that</p> <p>12 context?</p> <p>13 A. That's all pensioners, all locations, you</p> <p>14 now, no matter where they reside.</p> <p>15 Q. All right. And what's Exhibit F?</p> <p>16 A. Exhibit F is a listing of the eleven</p> <p>17 persons who we've been able to identify who currently</p> <p>18 are listed in our system with a Pennsylvania address.</p> <p>19 Again, I don't know if they reside there, but that's</p> <p>20 a logical assumption.</p> <p>21 But these are eleven persons who did</p> <p>22 receive pension benefits who are listed in our system</p> <p>23 with a Pennsylvania address, and it provides the</p> <p>24 monetary benefits that were paid to them from the</p> <p>25 Pension Plan from 2000 through 2005.</p>	<p>Page 29</p> <p>1 A. This would be a total of this report</p> <p>2 which, again, is a total of prescription drug</p> <p>3 benefits paid to or for participants from January 1,</p> <p>4 2002 to August 14, 2005 for those participants who</p> <p>5 currently or were listed with a Pennsylvania address.</p> <p>6 Q. And what's Exhibit I?</p> <p>7 A. Exhibit I is a report of medical service</p> <p>8 providers to whom the GEM Group issued payments for</p> <p>9 medical benefits going back to 1997 through 2005, up</p> <p>10 until the date the report was produced.</p> <p>11 Q. All right. And that's limited to</p> <p>12 healthcare providers with Pennsylvania addresses; is</p> <p>13 that correct?</p> <p>14 A. Yes, these are healthcare providers that</p> <p>15 were listed in the system with Pennsylvania addresses</p> <p>16 -- I'm sorry, let me correct this. Now, these are</p> <p>17 providers that are listed with all addresses</p> <p>18 including Pennsylvania. So these are all locations.</p> <p>19 And please understand, this is just</p> <p>20 what was paid by the GEM Group, you know, not</p> <p>21 overall.</p> <p>22 Q. And under what circumstances would the GEM</p> <p>23 Group pay healthcare providers directly as opposed to</p> <p>24 going through a third party?</p> <p>25 A. There are some, what I refer to as</p>